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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SUN MICROSYSTEMS, INC., a Delaware  
corporation,

Plaintiff/Counterdefendant,

v.

NETWORK APPLIANCE, INC.

Defendant/Counterplaintiff.

CASE NO. C-07-05488 EDL

**[PROPOSED] ORDER AND  
STIPULATION REGARDING CLOSE OF  
FACT DISCOVERY**

Plaintiff Sun Microsystems, Inc. ("Sun") and Defendant Network Appliance, Inc.  
("NetApp"), by and through their undersigned attorneys of record, hereby stipulate and agree that  
the close of fact discovery in the above-titled case shall be December 17, 2008.

1 Dated: April 21, 2008

2 DLA PIPER US LLP

3 /s/ Christine K. Corbett

4 MARK D. FOWLER  
5 DAVID ALBERTI  
6 CHRISTINE K. CORBETT  
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10 Sun Microsystems, Inc.

11 Dated: April 21, 2008

12 /s/ Jeffrey G. Homrig

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22 Attorneys for Defendant,  
23 Network Appliance, Inc.

24 IT IS SO ORDERED

25 Dated: April 23, 2008

